

REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

DECEMBER 15, 2003
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Tracey Turner Thurman
Commissioner Andrew S. Layson
Commissioner Robert Roach
Mayor William I. May, Jr. (5)
ABSENT: None (0)

Invocation by Reverend Jack Brewer, First United Methodist Church.

Public Hearing: Mayor May declared the Public Hearing for the Adjustable Rate Industrial Building Revenue Bonds, Series 2003, for the Kentucky Domestic Violence Association, Inc. Project open. There being no comments, the hearing was closed.

It was moved by Commissioner Thurman, seconded by Commissioner Layson, that the reading of the minutes of November 6, 2003 Special Meeting, December 1, 2003 Work Session and December 3, 2003 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor's Report

- § Special thanks to volunteers and City Staff for their work on Governor's Inauguration Parade and public reception.
- § Welcomed new administration and officials to Frankfort.

Employee Recognition

- § Mayor and Fire Chief presented plaque to Assistant Chief Doug Howard who is retiring 12/31/03 with 30 years of service and Lieutenant John Hackett who is retiring 12/31/03 with 28.5 years of service.
- § Oath of office was administered by Mayor May to Firefighters John Crum, Michael Felty and Mark Traylor.
- § Employees of Public Works were recognized for participation in APWA (American Public Works Association) Kentucky Chapter State Championship, with Allen Burriss and Eddie Wiley finishing First Place in Snow Plow Team Event, Allen Burriss finishing First Place in Back Hoe Individual Event, and Freddie White and Paul Kirk finishing Fourth Place in Snow Plow Team Event. Allen Burriss was in attendance.

Ordinances

"AN ORDINANCE AUTHORIZING THE ISSUANCE OF ADJUSTABLE RATE INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2003 (KENTUCKY DOMESTIC VIOLENCE ASSOCIATION, INC. PROJECT) OF THE CITY OF FRANKFORT, KENTUCKY, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$600,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO KENTUCKY DOMESTIC VIOLENCE ASSOCIATION, INC. TO FINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF AN INDUSTRIAL BUILDING TO BE LOCATED WITHIN THE CITY OF FRANKFORT, KENTUCKY FOR USE AS HEALTH CARE AND RELATED FACILITIES BY THE KENTUCKY DOMESTIC VIOLENCE ASSOCIATION, INC.; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT, TAX REGULATORY AGREEMENT, MORTGAGE AND ASSIGNMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS" was presented and read. This ordinance had its first reading November 6, 2003. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 25, 2003 Series)

"AN ORDINANCE ESTABLISHING A LATERAL MAINTENANCE FEE FOR SEWER SERVICES" was presented and read. Citizen comments: Eddie Adams requested ordinance be tabled pending study to determine cost, monies be placed in contingency budget for current funding. Anne Gibbs, table ordinance until a policy is in place, place money in contingency for funding, remove authorization to solicit RFQ to perform construction services associated with sewer repair or replacement from agenda.

"AN ORDINANCE AMENDING ORDINANCE NO. 26, 1976 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 15.30.030 - BLASTING PERMITS" was presented and read.

Orders

"AN ORDER ADOPTING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF FRANKFORT AND COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DISTRICT FIVE, RELATING TO CO-PERMITTING UNDER THE CLEAN WATER ACT AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM, STORMWATER PHASE II PROGRAM" was presented. It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 14, 2003 Series)

Consent Calendar

There being no objection, Item 6.2, Authorization to solicit Request for Qualifications for plumbers and/or contractors to perform construction services associated with public sewer lateral repair or replacement, was removed from agenda.

The following miscellaneous and personnel items were presented:

- 6.1 Award contract for construction of the Wastewater Treatment Plant Effluent Flow Metering System (Parshall Flume) and Ozone System Site Work to the low bidder, Free Contracting, Inc., in the amount of \$174,000, with funding from Equipment Account 300.68.56550 (Sewer Department);
- 6.3 Bid award for three (3) year contract to provide uniform rental service for uniformed employees in Planning & Building Codes, Parks and Recreation, Public Works and Vehicle Maintenance Garage, to the second low bidder, Hart's Uniform Rental Service; following evaluation by Selection Committee with Hart's Uniform Rental Service being recommended based on weighted rating points received and its references (Finance Department);
- 6.4 Bid award for two-year contract for Hauling In and Storage of Motor Vehicles Impounded by the City to the sole bidder, Harrod's Diesel Towing and Recovery, which meets all specification requirements (Finance Department);
- 6.5 Authorization to declare two Easy-Go Work Carts and one John Deere Work Cart, which are no longer useful due to age and condition, as surplus to be disposed of through trade in toward purchase of one 2004 Club Cart Carry-All, 2x2, 22 horsepower, with key start engine, four-wheel brake, headlights and cargo box; cost of 2004 Club Cart Carry-All is \$5,949.92, less trade-in value of \$1,100.00 for three surplus carts, resulting in final purchase price of \$4,849.92, with funding from equipment account 100.79.56550 (Golf Course);
- 6.6 Authorization to purchase one 1987 Modular Home at East Frankfort Park from Jim Parrish in the amount of \$40,000, with funding from Capital Improvements Account 100.90.53295, the modular home being the only remaining live-in property that the City does not own and two appraisals having been obtained at \$65,000 and \$53,000 (Parks and Recreation);
- 6.7 Personnel
 - Accept retirement of William D. Howard, Assistant Chief, effective December 31, 2003, and authorize payment of 345 hours accrued vacation leave, 2 hours accrued holiday leave and 14.5 hours accrued compensatory leave; and retirement of John Hackett, Lieutenant, effective December 31, 2003, and authorize payment of 58 hours accrued vacation leave and 48 hours accrued holiday leave (Fire Department);
 - Extend conditional offer of employment, contingent upon successful completion of physical examination, to Jason S. Monroe for position of Firefighter (Fire Department);

- Accept retirement of Roy L. Todd, Lead Mechanic, effective December 31, 2003, and authorize payment of 392 hours accrued vacation leave (Garage);
- Appointment of Lisa S. Hockensmith to position of Office Assistant effective January 6, 2004 (Sewer Department);
- Appointment of Daniel S. Doss, Paul A. Scott and Marvin R. Gibson to position of Maintenance Worker effective December 16, 2003 (Public Works Department);
- Confirmation of Michael Davidson in position of Patrol Officer effective December 17, 2003 (Police Department);
- Authorize reclassification of Jo A. Morgan from position of License Enforcement Officer to position of Code Enforcement Inspector, and authorize transfer from Finance Department to Planning & Building Codes effective January 5, 2004;

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Old Business

It was moved by Commissioner Layson, seconded by Commissioner Bowers, that a Professional Services Agreement be entered into with Strand Engineers to assist the City with the Phase 2 Stormwater Permit Implementation, in the amount of \$80,000 for remaining tasks identified in the 2004 Phase 2 Stormwater Program to include erosion and sediment control design standards, construction site waste control standards, develop web page for public education, develop storm water quality educational program for City employees, 2004 annual report and stormwater outfall mapping, with funding from Capital Improvements Account 100.95.53295, raising contract price from \$50,000 to \$130,000 (Public Works Department). The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that Change Order No. 2 on the Jones Run Pump Station Upgrade Project with Smith Contractors, Inc., be approved, in the amount of \$1,734.80, raising contract from \$798,430.00 to \$800,164.80, with funding from 1997 Bond Issue, for installing 36" ductile iron pipe in lieu of 36" steel pipe, extending electrical service seven feet above transformer deck, and level controls being relocated to get an accurate reading and electrical transducer being required in motor control center (Public Works Department). The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

New Business

It was moved by Commissioner Roach, seconded by Commissioner Thurman, that the 2002-2003 Annual Audit for the City of Frankfort as prepared by Charles T. Mitchell Co. be accepted and to authorize payment in the amount of \$30,000, with funding in the amount of \$17,000 from General Fund Account 10.53220 and \$13,000 from Sewer Account 68.53220. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the 2004 golf rates be approved to remain the same as the 2003 golf season rates. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Layson, seconded by Commissioner Bowers, that a Professional Services Contract be awarded to The Mercer Group for a Wage and Classification Study for all employees of the City at a not-to-exceed fee of \$23,625, with funding from Reserve for Contingency Account 95.53295, with The Mercer Group receiving the highest ranking based on weighted rating points received and its references by a Review Team having consisted of Acting City Manager, Personnel Director, Purchasing Agent, Communications Director and Sewer Director. The question was put upon the motion and the roll called. Those voting in favor of

the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted

Citizen Comments

Anne Gibbs, sewer lateral maintenance policy open ended, does not address what would happen if property owner fails to grant easement.

Commissioner Comments

- § Commissioner Thurman thanked City Staff for their work on Governor's Inauguration Parade.
- § Commissioner Roach requested leaf truck be scheduled for collection an additional week, requested developers be discouraged from placing signs along streets recognizing themselves for development of street/road.

There being no objection, the Board recessed to meet in closed session in accordance was KRS 61.810 (1), (b), (f), to discuss property and personnel, upon motion by Commissioner Thurman, seconded by Commissioner Roach.

MAYOR

ATTEST:

CITY CLERK